
Chapter 21.16 – Development and Land Use Approval Requirements

Sections:

21.16.010	Purpose
21.16.020	General Requirements for Development and New Land Uses
21.16.030	Allowable Land Uses
21.16.040	Short-Term Uses and Structures
21.16.050	Special Events
21.16.060	Additional Permits and Approvals May Be Required

21.16.010 – Purpose

The purpose of this part is to provide the general requirements of this Implementation Plan for the approval of proposed development and land use activities. Land use requirements for specific land uses are established by this Part 2 and Part 3 (Site Planning and Development Standards) and Part 4 of this Implementation Plan (Standards for Specific Land Uses). Land use and development approval and administrative provisions are established by Part 5 (Planning Permit Procedures) and Part 6 of this Implementation Plan (Implementation Plan Administration).

21.16.020 – General Requirements for Development and New Land Uses

No use of land or structures shall be allowed, altered, constructed, established, expanded, reconstructed, or replaced unless the use of land or structures comply with this Implementation Plan and the requirements of this chapter.

- A. **Allowable Use.** The land use shall be identified by Chapter 21.18 (Residential Coastal Zoning Districts), 21.20 (Commercial Coastal Zoning Districts), 21.22 (Mixed-Use Coastal Zoning Districts), 21.24 (Industrial Coastal Zoning Districts), 21.26 (Special Purpose Coastal Zoning Districts), or 21.28 (Overlay Coastal Zoning Districts) as being allowable in the coastal zoning district applied to a site.
- B. **Coastal Development Permit Requirements.** Coastal Development Permits required by this Implementation Plan shall be obtained before the proposed use is commenced or the project is constructed and any activities associated with the use are commenced, or otherwise established or put into operation.
- C. **Development Standards.** Uses and/or structures shall comply with all applicable development standards of this part, the provisions of Part 3 (Site Planning and General Development Standards) and Part 4 of this Implementation Plan (Standards for Specific Land Uses), and other adopted criteria, guidelines, and policies adopted by the City related to the use and development of land.
- D. **Conditions of Approval.** Uses and/or structures shall comply with all conditions imposed by a previous permit and other regulatory approvals. Failure to comply with imposed

conditions shall be grounds for revocation of the permit in compliance with Chapter 21.68 (Enforcement).

- E. **Reasonable Accommodations.** The review authority may grant reasonable accommodations (adjustments) to the City's coastal zoning and land use regulations, policies, and practices when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling in compliance with Federal and State fair housing laws. A request for reasonable accommodation requiring a coastal development permit may be approved or conditionally approved by the City if it is consistent with the certified Local Coastal Program and the California Coastal Act to the extent feasible, and there are no feasible alternatives for providing an accommodation at the dwelling that would provide greater consistency with the certified Local Coastal Program.
- G. **Nonconforming Uses and Structures.** Uses and structures that are determined to be nonconforming as to the requirements of this Implementation Plan shall be subject to the requirements and limitations of Chapter 21.38 (Nonconforming Uses and Structures).

21.16.030 – Allowable Land Uses

Allowed land uses are permitted or conditionally permitted subject to compliance with all applicable provisions of this implementation plan. These are shown as "A" uses in the tables.

21.16.040 – Short-term Uses and Structures

Requirements for establishing a short-term use or structure (e.g., construction yards, seasonal sales lots, temporary office trailers, etc.) are identified in Section 21.48.105 (Limited Duration Uses and Structures).

21.16.050 – Special Events

Requirements for holding a special event are identified in Section 21.48.095 (Special Events).

21.16.060 – Additional Permits and Approvals May Be Required

- A. **Other Permits Required.** An allowed land use or structure that is exempt from a coastal development permit, or has been granted a coastal development permit, may still be required to obtain other permits before the use is commenced or the structure is constructed and any activities associated with the use are commenced, or otherwise established or put into operation. Nothing in this section shall eliminate the need to obtain any permits or approvals required by:
 - 1. Other provisions of the Municipal Code (e.g., conditional use permits, minor use permits, limited term permits, site development review, zoning clearances, building permits, grading permits, other construction permits, live entertainment permit, or a business license); or
 - 2. Orange County, a special district, or any regional, State, or Federal agency.
- B. **Timing of Other Permits.** No land shall be used, no new use shall be established, and no structure shall be commenced until all necessary permits have been obtained.

- C. **Report of Residential Building Records.** The owner of any residential building shall obtain from the City a report of the residential building records upon entering into an agreement of sale. The owner shall file an application for such a report not later than three days after entering into an agreement of sale.